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requested that such bunds might be registered in the names of the Pulayas, who cultivated the neighbouring lands for their owners. He added that he had consulted several ryots and the land owners had no objection whatever to their Pulayas getting such lands registered. The real trouble came from the petty Revenue subordinates.

The Member requested that the matter might be viewed sympathetically and necessary action taken as early as possible.

Dewan's reply.—The Member is requested to send up to Government a list of the *Puduval* lands which, he thinks, may be assigned to the Pulayas.

11. Institution of civil suits, in respect of Kandukrishi lands, by the holders.

Mr. Kanakku Aiyappan Narayanan (Member, Neyyattinkara Taluk) said that, since 916 M. E., it had been the practice for the Government to grant lands to the people on the *kandukrishi* tenure in the same way as lands under the *pandaravagai pattom*, *otti*, *kudi-jenmom* and such other tenures. Such lands were being freely enjoyed and alienated by the people, like other lands, without any interference from the Government. In 1012 M. E., the Government passed orders treating the *Kandukrishi* lands just like other Sirkar lands in respect of *nadavukur* and the Settlement records of 1014 also showed that *nadavukur* was granted by the Government in respect of the *Kandukrishi* lands. The Settlement Memorandum of the late Dewan Mr. Ramiengar laid down that permission should be granted to the owners of the *Kandukrishi* lands to sell, mortgage or otherwise dispose of the same, and that the Sovereign, as the *Jenmi* of such lands, would not incur any loss thereby. It further showed that such alienation was a right vested in the holders of such lands. The Royal Proclamation of 1061, which was based on the Memorandum above referred to, prescribed in Section 28 that the *Kandukrishi* lands should be assessed on the same principles as other lands and that the holders thereof should be permitted to enjoy them so long as they continued to pay the *pattom* to the Government. The Member said that there was thus no obstacle to the possession, enjoyment and alienation of such lands. Nor was there any sort of restriction on the right of the holders of the *Kandukrishi* lands to institute civil suits till 1070 M. E. In that year, Regulation II of 1070 was passed, imposing the restriction that no Civil Court should take cognisance of any suit relating to a *Kandukrishi* land unless the plaint was accompanied by an order of the Government permitting the plaintiff to seek redress in the Civil Court. Even after the passing of this Regulation, the policy of the Governme

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was, till recently, to grant permission for instituting civil suits where the applications were made by members of the family of the original registry-holders to recover possession of the lands alienated by mortgage etc., and to refuse such permission where the lessees sought to secure possession of the lands from the original registry-holders. Instead of continuing this policy, the Government had of late been refusing the applications in *all* cases, and that was a matter of great hardship and loss to the holders of the *Kandukrishi* lands. Since the Royal Proclamation of 14th Kumbhom 1061 and the Notification dated 17th Meenam 1067 had declared in unmistakeable terms that the owners of such lands had only occupancy rights and nothing more, any amount of litigation that there might be in respect of such lands could only have reference to such rights, and it could not in any way add to or curtail the rights of the Government over the lands in their capacity as *Jenmi*. The Member therefore requested that, in conformity with the long-established practice and policy followed by the Government, permission should be freely given in future, for the institution of civil suits in respect of the *Kandukrishi* lands, without prejudice to the interests of the Sirkar, and if that was not practicable, that a time-limit should be prescribed and notified in the Gazette within which all applications for permission to institute such suits might be invited and granted.

Dewan's reply.—The views of the Member are noted.

12. *Modification of the Proceedings of the Government dated 15th September 1908, regarding Thiruppuvaram.*

Mr. Narayanar Janardanar (Member, Jenmies of the Trivandrum and Padmanabhapuram Divisions) said that the decisions of the High Court, before and after the Proceedings of the Government dated 15th September 1908, were against the principles laid down in the Government order. There was no doubt that the tenor of the High Court decisions was that the responsibility in respect of *thiruppuvaram* rested with the Government. The G. O. stated that *thiruppuvaram* was a charge or assignment on certain lands, that the lands belonged to the Sirkar and that it was difficult for the Government, at that distance of time, to ascertain exactly the origin and nature of such charge or assignment. The Member said that *thiruppuvaram* was really a portion of the tax due to the Sirkar on certain lands that had belonged to the *Jenmies* and which, under the plea that the holders thereof had died escheat, the Government sold in auction or registered on payment of *vilayarthom* under such tenures as *Otti, Pattom, Erayali, Oozhiaviruthi*, &c. The existence of such a procedure and the injustice of it were also

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